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LEGISLATIVE HISTORY

Public Law 86-165

H. R. 3682

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INDEX AND SUMMARY OF H. R. 3682

Jan.	29,	1959	Rep. Pfof introduced H. R. 3682 which was referred to House Committee on Interior and Insular Affairs.
June	1,	1959	House subcommittee voted to report H. R. 3682.
June	10,	1959	House committee voted to report H.R. 3682,with amendment.
June	19,	1959	H.R. 3682 was reported with amendment. House Report 564. Print of bill and House report.
July	6,	1959	House passed H. R. 3682 as reported.
July	7,	1959	H. R. 3682 was referred to Senate Committee on Interior and Insular Affairs. Print of bill as referred.
Aug.	4,	1959	Senate committee reported H.R. 3682 without amendment. Senate Report 619. Print of bill and Senate report.
Aug.	7,	1959	Senate passed H.R. 3682 without amendment.
Aug.	18,	1959	Approved: Public Law 86-165.

DIGEST OF PUBLIC LAW 86-165

SALE OR LEASE OF SMALL TRACTS IN CARIBOUS AND TARGHEE

NATIONAL FORESTS. Authorizes the Secretary of the Interior to sell or lease, under the Small Tracts Act, certain lands which were added to the Caribou and Targhee National Forests in Idaho by the act of August 14, 1958.

86TH CONGRESS
1ST SESSION

H. R. 3682

IN THE HOUSE OF REPRESENTATIVES

JANUARY 29, 1959

Mrs. PFOST introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

A BILL

To permit the processing of certain applications under the Small Tracts Act for lands included in the Caribou and Targhee National Forests by the Act of August 14, 1958.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 4, subsection (a), of the Act of August 14,
4 1958 (72 Stat. 607, 608), is hereby amended by substi-
5 tuting a comma for the period at the end thereof and adding
6 the following: "nor to prejudice the sale or lease by the
7 Secretary of the Interior of lands for which application under
8 the Act of June 1, 1938 (52 Stat. 609), as amended, was
9 pending on March 28, 1957."

1 SEC. 2. Section 1 of this Act shall be effective as of the
2 date of the Act which it amends.

3 SEC. 3. The intent of the Congress in enacting this Act
4 is that the applications under the Act of June 1, 1938,
5 which were pending in the Department of the Interior on
6 March 28, 1957, shall be granted or rejected, in whole or
7 in part, on the basis of the same standards which would
8 have been applied in granting or rejecting them had the
9 Act of August 14, 1958, not been enacted.

A BILL

To permit the processing of certain applications under the Small Tracts Act for lands included in the Caribou and Targhee National Forests by the Act of August 14, 1958.

By Mrs. Probst

JANUARY 29, 1959

Referred to the Committee on Interior and Insular
Affairs

June 1, 1957

11. WATER RIGHTS. Received a Nev. Legislature resolution urging the enactment of legislation to provide that the States have primary responsibility for water resources within their boundaries. pp. 8449-50
12. RECLAMATION. A subcommittee of the Interior and Insular Affairs Committee ordered reported with amendments, on May 29, S. 281, to authorize Interior to construct a reregulating reservoir and other works at the Burns Creek Site in the upper Snake River Valley, Idaho. p. D414
Received from Interior a project proposal in the Jackson Valley Irrigation District, at Ione, Calif., under the Small Reclamation Projects Act of 1956; to Interior and Insular Affairs Committee. p. 8449
13. ADMINISTRATIVE ORDERS. Received from the Administrative Office of the U. S. Courts, D. C., a proposed bill "to provide for reasonable notice of applications to the U. S. courts of appeals for interlocutory relief against the orders of certain administrative agencies"; to Judiciary Committee. p. 8449
14. FOREIGN AID. Sen. Mansfield inserted and discussed amendments he intends to propose to S. 1451, the mutual security extension bill, to curtail certain grants under the program. pp. 8475-8
Sens. Young, Ohio, and Gruening urged greater economy in the foreign aid program. pp. 8478-80

HOUSE

15. ALASKA. Passed with amendments H. R. 7120, to amend certain laws of the U. S. in the light of admission of Alaska into the Union. pp. 8529-43
Agreed to an amendment by Rep. O'Brien which would limit the President's authority to transfer certain property to Alaska for airports, mental health, and highway construction and maintenance. pp. 8542-3
As passed, the bill includes sections defining Alaska's status under the following acts and subjects: Sugar Act, Soil Bank Act, Soil Conservation and Domestic Allotment Act, wildlife and fish restoration, importation of milk and cream, Water Pollution Control Act, Federal Property and Administrative Services Act, and timber removal.
16. FORESTRY. The Public Lands Subcommittee of the Interior and Insular Affairs Committee voted to report (but did not actually report) to the full committee H. R. 3682, to permit the processing of certain applications under the Small Tracts Act for lands included in the Caribou and Targhee National Forests by the act of August 14, 1958. p. D416
17. REORGANIZATION. Rep. McCormack asked and received consent that H. R. 5140, to extend for 2 years the Reorganization Act of 1949, be passed over without prejudice since it is scheduled for consideration tomorrow, June 2. p. 8520
18. LEGISLATIVE BRANCH APPROPRIATION BILL. Passed without amendment this bill, H. R. 7453. pp. 8525-9
19. PROPERTY. Passed as reported S. 900, to extend the authority of GSA to pay direct expenses in connection with the utilization of excess real property. p. 8520
20. ACCOUNTING; PERSONNEL. Passed without amendment H. R. 6134, to amend the Federal Employees Pay Act of 1945 so as to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years. pp. 8521-2

21. WATER. Received from the Oregon state legislature two memorials urging Congress to respect state and individual water rights. pp. 8543-4
Received from the Nevada Legislature a memorial urging legislation to define the waters originating on federally owned or controlled lands which contribute to flowing or moving surface or ground waters. p. 8553
22. INTEREST RATES. Rep. Patman criticized the Federal Reserve's Open Market Committee activities as "acting for and on behalf of Congress, not only when it determines interest rates but when it determines how much money and credit shall be available to business, farmers, and consumers ...," and attacked the "trickle down theory" which he associated with the Eisenhower Administration. pp. 8546-8
23. HOUSING. Received from the Comptroller General a report on the audit of the Federal Housing Administration, Housing and Home Finance Agency for fiscal year 1958 (H. Doc. 162). p. 8552
24. FARM PROGRAM. Received from the Texas Legislature a memorial relative to the role of the small farmer and small communities in preserving our way of life. p. 8553
25. SMALL BUSINESS LOANS TO FARMERS. Received from the Texas Legislature a memorial urging Congress and the President to request the executive and legislative departments to issue the necessary administrative ruling or to pass the necessary legislation making poultry, egg, hog, and milk producers eligible for loan from the Small Business Administration. p. 8553
26. FOOD COSTS. This office has received copies of a House Agriculture Committee print, "Food Cost Trends: A Compilation of Data Relating Consumer and Farm Prices of Food." In a foreward to the bulletin, Rep. Cooley stated that the study "shows the widening spread between the price the farmer receives and what the consumer pays, for food."

ITEMS IN APPENDIX

27. LIBRARY SERVICES. Extension of remarks of Sen. Hill expressing his "deep personal interest in improving and expanding library facilities ...," and stating that he is proud to have been the author in the Senate of the Library Services Act, and inserting an article on this subject. pp. A4581-3
28. FARM PROGRAM. Sen. Ervin inserted recent addresses by Sen. Symington and Sen. Hartke criticizing various programs of the administration, including the farm program. pp. A4583-4, A4587-8
Rep. Coad inserted Duane Orton's statement before the House Agriculture Subcommittee on Livestock and Feed Grains outlining his plan for the solution of the farm problem. pp. A4631-2
Rep. Green inserted a speech by Al Whitehouse, AFL-CIO, critical of labor standards, the administration of the surplus disposal program by this Department, and the increased expenditures for price support programs. pp. A4638-41
29. ELECTRIFICATION. Sen. Neuberger inserted an editorial, "Bonneville Corporation Fair To All." p. A4590
Extension of remarks of Sen. Kuchel opposing a proposal to have private development of the power facilities of the Central Valley project. pp. A4602-3

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

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HIGHLIGHTS: House passed tobacco price support bill. House debated wheat bill. House Rules Committee cleared bill to extend mutual security program. Rep. Coffin submitted and discussed measure to authorize special study and investigation of farm program.

HOUSE

1. TOBACCO. Passed, 250 to 149, with amendment S. 1901, to modify price supports for tobacco (pp. 9408-22).

Agreed to, 108 to 55, an amendment by Rep. Michel to limit to \$50,000 the total amount of CCC loans or purchases made to any person on the 1960 production of tobacco. The amendment exempts cooperative marketing organizations. (pp. 9416-7)

Rejected, 65 to 123, an amendment by Rep. Hoeven to provide for a 3-year freeze on tobacco price supports at the 1958 level for the 1959, 1960, and 1961 crops (pp. 9408-16).

Rejected an amendment by Rep. Pelly to provide that no financial benefit or assistance shall accrue or be paid, directly or indirectly, under the bill to any Member of Congress or employee of the Federal Government (p. 9416).

Rejected an amendment by Rep. Michel to limit to 2 acres the Flue-cured tobacco acreage allotment for any farm in 1960 and subsequent years (pp. 9417-20)

Rejected, 138 to 260, a motion by Rep. Hoeven to recommit the bill to the Agriculture Committee with instructions to report it back with his amendment providing for a 3-year freeze on tobacco price supports (pp. 9421-22). A motion to reconsider the vote on the bill was tabled (p. 9422).

2. WHEAT. Began debate on H. R. 7246, to revise acreage allotments and price supports for wheat. pp. 9423-32
3. FOREIGN AID. The Rules Committee reported a resolution for consideration of H. R. 7500, to extend the mutual security program (pp. 9422, 9438). As reported by the Foreign Affairs Committee, this bill includes provisions as follows: Requires that at least \$175,000,000 (same amount as in last year's act) of mutual security funds be used to finance the sale for foreign currencies of surplus agricultural commodities. Authorizes \$2,300,000 (last year's appropriation was \$2,100,000) for ocean freight to move supplies donated to and by American voluntary agencies. Authorizes the President to utilize foreign currencies under this bill, or any other act, for science and research, including the translation of scientific books and treatises. Authorizes \$211,000,000 for technical cooperation programs.
Regarding the use of private trade channels in the export and sale of surplus commodities for foreign currencies, the committee report includes the following statements:
"This committee supports the objectives of avoiding direct State trading in these transactions and of keeping the commodities in private trade channels so far as practicable. However, it wishes to emphasize that economy and efficiency are to be carefully considered in determining 'practicability'. In particular, it would appear that where a transaction is essentially between two arms of the U. S. Government, the ICA and the CCC, a careful study should be made to determine whether a more advantageous form of transfer might be arranged."- 4. PERSONNEL; HOLIDAYS. The Rules Committee reported a resolution for consideration of H. R. 5752, to provide for time off for Federal employees for holidays occurring on Saturdays. pp. 9422-3, 9438
- 5. FORESTRY. The Interior and Insular Affairs Committee voted to report (but did not actually report) with amendment H. R. 3682, to permit the processing of certain applications under the Small Tracts Act for lands included in the Caribous and Targhee National Forests. p. D460
- 6. RECLAMATION. The Interior and Insular Affairs Committee voted to report (but did not actually report) the following bills: p. D460
H. R. 968, with amendment, to provide for the construction of the Bully Creek Dam and other facilities, Vale Federal reclamation project, Ore.
H. R. 804, with amendment, to authorize construction of the Spokane Valley Federal reclamation project, Wash. and Ida.
- 7. EMPLOYMENT; PRICES. The Government Operations Committee voted to report (but did not actually report) H. R. 6263, to amend the Employment Act of 1946 so as to provide for its more effective administration, and to bring to bear an informed public opinion upon price and wage increases which threaten economic stability. p. D460
- 8. INFORMATION. A subcommittee of the Education and Labor Committee voted to report to the full committee H. R. 2569 (amended and a clean bill will be introduced), to establish a 21-member Federal Advisory Council on the Arts. p. D460

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

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86th-1st, No. 102

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HIGHLIGHTS: House passed bill to increase public debt limit. House received conference report on housing bill. Senate subcommittee voted to report Labor-HEW and State-Justice appropriation bills.

HOUSE

1. PUBLIC DEBT. Passed, 225 to 117, without amendment H. R. 7749, to increase the permanent ceiling on the public debt from \$283 billion to \$285 billion, and to increase the temporary ceiling from \$288 billion to \$295 billion (pp. 10295-326). Rejected, 24 to 127, a motion by Rep. Mason to recommit the bill to the Ways and Means Committee (p. 10325).
2. HOUSING. Received the conference report on S. 57, the housing bill for 1959 (H. Rept. 566) (pp. 10295, 10333-47, 10348). As reported the bill extends the farm housing research program for 2 years and authorizes the appropriation of a total of \$100,000 for the 2-year period for this purpose, and authorizes HHFA to undertake a comprehensive study of the housing needs of migratory farm workers. The conferees eliminated a provision contained in the bill as passed by the House which would have established a program under which the Secretary of Agriculture would insure loans made by private lenders to farmers, associations of farmers, and county governments to provide housing and related structures for migratory farm labor.
3. FORESTRY. The Interior and Insular Affairs Committee reported with amendment H. R. 3682, to permit the processing of certain applications under the Small

Tracts Act for lands included in the Caribou and Targhee National Forests
(H. Rept. 564). p. 10348

4. TRANSPORTATION. A subcommittee of the Merchant Marine and Fisheries Committee voted to report to the full committee: H. R. 5068, with amendment, to provide for the licensing of independent foreign freight forwarders, and H. R. 5067, to repeal sec. 217 of the Merchant Marine Act of 1936, which authorizes the Department of Commerce to coordinate foreign trade activities of Federal agencies and private firms. p. D506
5. MINERALS; LANDS. Rep. Thomson urged enactment of his bill, H. R. 7787, to amend the Mineral Leasing Act so as to correct the situation whereby the "Department of Interior has undertaken to cancel oil and gas leases issued under the Act ... on public lands on the grounds that someone had at one time held these leases, whose holding, including the leases in question, exceeded the acreage which any person, association, or corporation can hold in any one State." p. 10327
6. LEGISLATIVE PROGRAM. Rep. Albert announced the following legislative program: Mon., June 22: H. R. 3, to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; Tues: Private Calendar; and for remainder of the week: conference report on S. 57, the housing bill. p. 10326
7. ADJOURNED until Mon., June 22. p. 10348

SENATE

8. APPROPRIATIONS. Subcommittees of the Appropriations Committee voted to report to the full committee H. R. 6769, the Labor-HEW appropriation bill for 1960, and H. R. 7343, the State-Justice appropriation bill for 1960. p. D504
9. ELECTRIFICATION. The Public Works Committee voted to report with amendments (but did not actually report) H. R. 3460, to amend the TVA Act of 1933 so as to provide for the issuance of revenue bonds by TVA to finance additions to its power system. pp. D504-5
10. WATERSHEDS. The Public Works Committee approved the following watershed projects: Sulphur Creek, Tex., Brule Creek, S. Dak., Frye Creek, Ariz., Shoal Creek, Ill., Big Blue Creek, Ill., and Tobesofkee Creek, Ga. p. D505
11. NOMINATIONS. The Public Works Committee approved the nomination of Brooks Hays to be a member of the Board of Directors of the TVA. p. D505

ITEMS IN APPENDIX

12. AREA REDEVELOPMENT. Rep. Lane inserted a textile union resolution favoring enactment of area redevelopment legislation. p. A5300
13. INDIANS. Rep. Berry urged adoption of his bill, H. R. 7701, operation bootstrap for Indians. pp. A5303-4
14. WHEAT. Rep. Allen inserted an editorial, "Just More Controls," discussing the wheat legislation now being considered by Congress. p. A5303
Extension of remarks by Rep. Schwengel criticizing the original conference report on the wheat bill and urging the drafting of a new wheat bill to "give the farmer more freedom, reduce production, and holding down storage costs." p. A5309-10

PERMITTING THE PROCESSING OF CERTAIN APPLICATIONS
UNDER THE SMALL TRACTS ACT FOR LANDS INCLUDED IN THE
CARIBOU AND TARGHEE NATIONAL FORESTS BY THE ACT OF
AUGUST 14, 1958

JUNE 19, 1959.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mrs. FROST, from the Committee on Interior and Insular Affairs
submitted the following

R E P O R T

[To accompany H.R. 3682]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 3682) to permit the processing of certain applications under the Small Tracts Act for lands included in the Caribou and Targhee National Forests by the act of August 14, 1958, having considered the same, report favorably thereon with an amendment and recommend that the bill, as amended, do pass.

The amendment is as follows:

Page 1, lines 6 to 9, strike out the material in quotation marks and insert in lieu thereof the following:

nor to prejudice the sale or lease by the Secretary of the Interior under the Act of June 1, 1938 (52 Stat. 609), as amended, of lands for which applications under that Act were pending on March 28, 1957, and of one additional tract, not exceeding five acres, in either the south half of the northwest quarter of the northeast quarter of the northwest quarter, or the north half of the northeast quarter of the northwest quarter of the northwest quarter, both of section 17, township 2 south, range 46 east, Boise Meridian, if application for such additional tract be made not later than July 1, 1960, by an applicant whose application under R.S. 2455, as amended (43 U.S.C. 1171) for lands within the west half of the said section 17 was pending on March 28, 1957.

Page 2, lines 4 to 6, strike out the words: "under the Act of June 1, 1938, which were pending in the Department of the Interior on March 28, 1957," and insert in lieu thereof the words "identified in the amendment to section 4 of the Act of August 14, 1958, which is made by section 1 of this Act,".

PURPOSE

The purpose of H.R. 3682 is to authorize the Secretary of the Interior to sell or lease, under the Small Tracts Act (52 Stat. 609, 43 U.S.C. 682-682c), as amended, certain lands which were added to the Caribou and Targhee National Forests in the State of Idaho by the act of August 14, 1958 (72 Stat. 607). The lands in question are those for which applications were pending in the Department of the Interior on March 28, 1957, the date on which S. 1748, 85th Congress, which became the act of August 14, 1958, was introduced in the Senate. If H.R. 3682 is enacted, the Secretary will be authorized to grant or reject these applications on the basis of the same standards which he would have applied had the 1958 act not become law.

Enactment of H.R. 3682 will also authorize the Secretary to grant or reject, as under the Small Tracts Act and in accordance with the same standards, an application for one additional small tract if such application is filed not later than July 1, 1960, by the person who had an application pending on March 28, 1957, under the Isolated Tracts Act, as amended (R.S. 2455, 43 U.S.C. 1171) for a larger area identified in the bill.

NEED

At the time the bill which became the 1958 act was introduced in the 85th Congress, there were pending before the Department of the Interior 22 applications for the lease or sale of land under the Small Tracts Act and one application under the Isolated Tracts Act. Although section 4(a) of the 1958 act expressly provided that nothing contained in it should be construed "to diminish or in anywise affect any valid rights in or to, or in connection with," the lands which were being covered into the Caribou and Targhee National Forests, no provision was made for preserving the status of the pending applications or for permitting the Secretary of the Interior to decide to accept or reject them on their own merits.

The committee agrees that, even though the small tract applicants had and have no legally protected interest in the lands, they were entitled to more consideration than they were accorded. This can now be given them only by the enactment of legislation which will restore the status quo ante and open the way for the Secretary to determine, without reference to the enactment of the 1958 law, whether the applications should be rejected or whether they should be wholly or partially granted. Enactment of H.R. 3682 is needed to accomplish this object.

The application under the Isolated Tracts Act is somewhat different since it was for 320 acres which, because of the construction by the United States of the Palisades Reservoir in the vicinity, have probably become far more valuable than they were before and might, if allowed to go to one person, result in an unjustifiable windfall. In view of this, the committee's amendment to the bill allows this applicant to reapply under the Small Tracts Act and permits the Secretary to process the application in the same way as the others.

The committee points out that under H.R. 3682 the Secretary of the Interior is not required to sell or lease the lands in question. He is merely authorized to grant or reject in whole or in part the various applications on the basis of the same standards which would have

applied on applications in granting or rejecting them had the act of August 14, 1958, not been enacted. The Department of the Interior, in other words, may use its usual discretion in determining whether and to what extent and under what terms any of these tracts should be sold or leased.

COST

Enactment of H.R. 3682 will result in only minor administrative expenses to the Department of the Interior. If the applications are allowed, it will increase the Government's revenues to a small extent.

DEPARTMENTAL RECOMMENDATIONS

The no-objection reports of the Department of the Interior and the Department of Agriculture are set forth below:

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., May 14, 1959.

HON. WAYNE N. ASPINALL,
*Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D.C.*

DEAR MR. ASPINALL: This is in reply to your request for the views of this Department on H.R. 3682, a bill to permit the processing of certain applications under the Small Tracts Act for lands included in the Caribou and Targhee National Forests by the act of August 14, 1958.

We would not object to the enactment of this bill, if the Department of Agriculture has no objection to its enactment.

The act of August 14, 1958 (72 Stat. 607), added certain lands in Idaho to the Targhee and Caribou National Forests. Section 4(a) of that act (72 Stat. 607, 608) stated that the sole purpose of the act was to subject lands within the extended boundaries of the forests to the laws and regulations governing the national forests and not to authorize the acquisition of any additional lands by the United States or to diminish or affect in any way valid rights applicable to those lands existing on the date of the statute's approval. H.R. 3682 would add to this subsection an additional provision to the effect that nothing in the act would "prejudice the sale or lease by the Secretary of the Interior of lands for which application under the act of June 1, 1938 (52 Stat. 609), as amended, was pending on March 28, 1957." March 28, 1957, it should be noted, was the date on which the act of August 14, 1958, was introduced in the Congress as S. 1748.

A portion of the land subject to the act of August 14, 1958, was public land administered by the Bureau of Land Management of this Department on which 22 applications under the Small Tract Act of June 1, 1938, as amended (43 U.S.C., secs. 682-682e), were pending at the time of the introduction of S. 1748 which became the 1958 act. There was one other application pending under another statute at that time. Accordingly, in our report of February 21, 1958, to the chairman of the Interior and Insular Affairs Committee of the Senate on S. 1748 we recommended that the bill be amended so as to protect these applications. We had been informed that the inclusion of these lands was inadvertent. The Senate committee recommended that our proposed amendment be adopted, and S. 1748,

as it was passed by the Senate, did include the amendment. However, the House Committee on Interior and Insular Affairs rejected the amendment, and, as the bill became law, it did not include the amendment which we had proposed. Consequently, we rejected the applications. H.R. 3682 would amend the act of August 14, 1958, to protect the small-tract applications, but not to protect any other applications. Because of the primary responsibility of the Department of Agriculture for the administration of the Caribou and Targhee National Forests, we would not approve of the enactment of this bill if that Department should object. However, in the absence of objection by the Department of Agriculture, we would not oppose the enactment of H.R. 3682, since its provisions are generally consistent with our original report on S. 1748.

The Bureau of the Budget has advised that there is no objection to the submission of this report to your committee.

Sincerely yours,

ROGER ERNST,
Assistant Secretary of the Interior.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., May 13, 1959.

HON. WAYNE N. ASPINALL,
*Chairman, Committee on Interior and Insular Affairs,
House of Representatives.*

DEAR CONGRESSMAN ASPINALL: Reference is made to your request of February 2, 1959, for the views of this Department on H.R. 3682, a bill to permit the processing of certain applications under the Small Tracts Act for lands included in the Caribou and Targhee National Forests by the act of August 14, 1958.

This Department would have no objection to the enactment of H.R. 3682.

This bill would amend the act of August 14, 1958 (72 Stat. 607, 608), which added certain lands to the Caribou and Targhee National Forests in Idaho. The amendatory bill would enable the Secretary of the Interior to sell or lease the part of such lands for which applications under the act of June 1, 1938 (52 Stat. 609), as amended, were pending in the Department of the Interior on March 28, 1957. By passage of the bill such applications may be granted or rejected in whole or in part in the same way that they could have been handled had the act of August 14, 1958, not been enacted.

The lands which were added to the Caribou and Targhee National Forests consist of about 15,700 acres of Federal lands withdrawn or acquired in connection with the Palisades Reservoir reclamation project. Included among the lands added to the national forests were about 110 acres covered by 22 applications under the Small Tracts Act of June 1, 1938 (52 Stat. 609), as amended. Addition of the lands to the national forests removed them from operation of the Small Tracts Act despite the fact that the applications were pending at the time. As stated in our report on S. 1748 which became the 1958 act, the character of the lands is such that they are suitable for national forest purposes, particularly in connection with the public recreation generated by the Palisades Reservoir. However, as also stated in that report, we would have no objection to the enactment

of provisions which would recognize the prior filing of the applications in the Department of the Interior, if the Congress concludes that it would be equitable to consider the applications.

We wish to point out that in addition to the several applications pending under the Small Tracts Act, there was also one application for public sale of a tract of about 320 acres under Revised Statutes 2455 (43 U.S.C. 1171) which authorizes public sales of isolated parcels of public domain. The bill would not permit processing of this additional application by the Secretary of the Interior. This Department does not know if the tract covered by the additional application is suitable for or would be classified for public sale if it were to be processed in accordance with the intent expressed in section 3 of the bill—that is, that the applications be granted or rejected, in whole or in part, on the basis of the same standards which would have been applied in granting or rejecting the applications had the act of August 14, 1958, not been enacted. However, if any prior applications are to be considered, it would appear equitable to consider them all.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

(Signed) E. T. BENSON, *Secretary*.

COMMITTEE RECOMMENDATION

The Committee on Interior and Insular Affairs recommends the enactment of H.R. 3682 as amended.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

ACT OF AUGUST 14, 1958 (72 STAT. 607, 608)

* * * * *

SEC. 4. (a) It is hereby declared that the sole purpose of this Act is to subject the lands referred to in the foregoing sections of this Act to all laws and regulations applicable to national forests, and nothing in this Act shall be construed to authorize the United States to acquire any additional lands or any interest therein, nor to diminish or in anywise affect any valid rights in or to, or in connection with, any such lands which may be in existence on the date of enactment of this Act[.] *nor to prejudice the sale or lease by the Secretary of the Interior under the Act of June 1, 1938 (52 Stat. 609), as amended, of lands for which applications under that Act were pending on March 28, 1957, and of one additional tract, not exceeding five acres, in either the south half of the northwest quarter of the northeast quarter of the northwest quarter, or the north half of the northeast quarter of the northwest quarter of the northwest quarter, both of section 17, township 2 south, range 46 east, Boise Meridian, if application for such additional tract be made not later than July 1, 1960, by an applicant whose application under R.S. 2455, as amended (43 U.S.C. 1171) for lands within the west half of the said section 17 was pending on March 28, 1957.*

86TH CONGRESS
1ST SESSION

H. R. 3682

[Report No. 564]

IN THE HOUSE OF REPRESENTATIVES

JANUARY 29, 1959

Mrs. POST introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

JUNE 19, 1959

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in italic]

A BILL

To permit the processing of certain applications under the Small Tracts Act for lands included in the Caribou and Targhee National Forests by the Act of August 14, 1958.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 4, subsection (a), of the Act of August 14,
4 1958 (72 Stat. 607, 608), is hereby amended by substi-
5 tuting a comma for the period at the end thereof and adding
6 the following: "~~nor to prejudice the sale or lease by the~~
7 Secretary of the Interior of lands for which application under
8 the Act of June 1, 1938 (52 Stat. 609), as amended, was
9 pending on March 28, 1957." "*nor to prejudice the sale or*
10 *lease by the Secretary of the Interior under the Act*

1 of June 1, 1938 (52 Stat. 609), as amended, of lands
2 for which applications under that Act were pending on
3 March 28, 1957, and of one additional tract, not exceeding
4 five acres, in either the south half of the northwest quarter
5 of the northeast quarter of the northwest quarter, or the
6 north half of the northeast quarter of the northwest quarter
7 of the northwest quarter, both of section 17, township 2 south,
8 range 46 east, Boise meridian, if application for such addi-
9 tional tract be made not later than July 1, 1960, by an
10 applicant whose application under R.S. 2455, as amended
11 (43 U.S.C. 1171) for lands within the west half of the
12 said section 17 was pending on March 28, 1957.”

13 SEC. 2. Section 1 of this Act shall be effective as of the
14 date of the Act which it amends.

15 SEC. 3. The intent of the Congress in enacting this Act
16 is that the applications under the Act of June 1, 1938,
17 which were pending in the Department of the Interior on
18 March 28, 1957 identified in the amendment to section 4
19 of the Act of August 14, 1958, which is made by section
20 1 of this Act, shall be granted or rejected, in whole or in
21 part, on the basis of the same standards which would
22 have been applied in granting or rejecting them had the
23 Act of August 14, 1958, not been enacted.

80TH CONGRESS
1ST SESSION

H. R. 3682

[Report No. 564]

A BILL

To permit the processing of certain applications under the Small Tracts Act for lands included in the Caribou and Targhee National Forests by the Act of August 14, 1958.

By Mrs. PROSR

JANUARY 29, 1959

Referred to the Committee on Interior and Insular
Affairs

JUNE 19, 1959

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

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86th-1st, No. 112

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HIGHLIGHTS: House debated resolution to disapprove Reorganization Plan 1 on forest land authorities. House committee reported bill to modify and enact the Plan. Senate debated mutual security authorization bill. Senate subcommittee voted to report public works appropriation bill. Rep. Johnson, Wis., introduced and discussed bill to transfer administration of School Lunch Act to HEW.

HOUSE

1. FORESTRY; REORGANIZATION. Began and concluded debate on H. Res. 295, to disapprove Reorganization Plan No. 1 of 1959 which would transfer from Interior to this Department certain authorities for the exchange or sale of forest land and timber (pp. 11603-09). A vote on the measure was postponed until today, July 7 (p. 11609).
The Government Operations Committee reported, on July 3, with amendment H. R. 7681, to enact the provisions of Reorganization Plan No. 1 with amendments (H. Rept. 633) (p. 11614). Rep. Brown, O., protested against the Committee reporting the bill without public hearings, and stated that he had checked with Agriculture, Interior, and the Budget Bureau, and had been informed that they had not been requested by the Committee to testify on the bill (pp. 11604-5). Rep. Dawson, Ill., stated that H. R. 7681 will be brought up for consideration at a later date (p. 11609).

Passed as reported H. R. 3682, to permit the processing of certain applications under the Small Tracts Act for lands included in the Caribou and Targhee National Forests by the act of August 14, 1958. p. 11577

2. RESEARCH. Passed with amendments H. R. 6436, to amend the Federal Insecticide, Fungicide, and Rodenticide Act so as to include nematocides, plant regulators, defoliants, and desiccants. pp. 11576-7
3. WILDLIFE; SURPLUS.. GRAINS.. Passed over, at the request of Rep. Pelly, H. R. 7631, to make permanent the act of July 3, 1956, authorizing Interior to requisition low-quality grain from CCC for use in the prevention of waterfowl depredations. p. 11577
4. PERSONNEL. Passed as reported H. R. 7577, to provide for the defense of suits against Federal employees arising out of their operation of motor vehicles in the scope of their employment. p. 11578
Passed as reported H. R. 6059, to provide additional civilian positions in the Defense Department for scientific research and development. p. 11583
5. MONOPOLIES. Passed under suspension of the rules S. 726, to amend the Clayton Act so as to provide for the more expeditious enforcement of cease and desist orders issued under the act (pp. 11592-99). Rep. Celler stated that under the bill "Clayton Act cease and desist orders will become final and conclusive 60 days after issuance unless the respondent seeks judicial review. In the event that judicial review is sought, the cease and desist. order will become final when affirmed by the court" (p. 11593). The "Daily Digest" states that the bill was passed with amendment (p. D569).

SENATE

6. MUTUAL SECURITY. Continued debate on S. 1451, the mutual security authorization bill for 1959. pp. 11539-47, 11548-65
7. PERSONNEL. Passed as reported H. R. 6134, to amend the Federal Employees Pay Act of 1945 to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years. p. 11529
Passed as reported S. 1495, to consolidate and revise the laws relating to employment of aliens in the several States and D. C. p. 11529
Passed over, at the request of Sen. Keating, S. 2162, to provide a health benefits program for Government employees. p. 11536
8. WATER; RECLAMATION. Passed over at the request of Sen. Keating S. 281, to authorize the Secretary of Interior to construct, operate, and maintain a re-regulating reservoir and other works at the Burns Creek site in the upper Snake River Valley, Idaho. pp. 11529-30
Received from the Illinois Legislature a resolution urging Congress to defend and preserve the water rights of the States and individuals. p. 11510
9. PUBLIC WORKS APPROPRIATION BILL FOR 1960. A subcommittee of the Appropriations Committee voted to report to the full committee this bill, H. R. 7509. p. D568
10. TRANSPORTATION. Passed as reported S. 1509, to amend the Interstate Commerce Act as amended to provide for "grandfather" rights (preference rights for certain carriers operating in the past) for certain motor carriers and freight forwarders in Alaska. pp. 11524-6

defoliant, or desiccant, if such use was made of such substance before January 1, 1958, clause (2) (B) of section 402(a) of the Federal Food, Drug, and Cosmetic Act, as amended (21 U.S.C. 342), shall not apply until—

(1) March 5, 1960, or at the end of such additional period, not beyond March 5, 1961, as the Secretary of Health, Education, and Welfare may prescribe on the basis of a finding that such extension involves no undue risk to the public health and that conditions exist which necessitate the prescribing of such an additional period, or

(2) the date on which an order with respect to such use under section 408 of the Federal Food, Drug, and Cosmetic Act, as amended (21 U.S.C. 348), becomes effective, whichever date first occurs.

With the following committee amendment:

Strike out entire section 3(b), page 7, line 21, through page 8, line 14, and substitute therefor the following:

"(b) with respect to any particular commercial use of a nematocide, plant regulator, defoliant, or desiccant in or on a raw agricultural commodity, if such use was made of such substance before January 1, 1958, section 406(a) and clause (2) of section 402(a) of the Federal Food, Drug, and Cosmetic Act as in force prior to the date of enactment of the Act of July 22, 1954, 68 Stat. 511 (relating to pesticide chemicals on raw agricultural commodities) shall apply until—

"(1) March 5, 1960, or the end of such additional period, not beyond March 5, 1961, as the Secretary of Health, Education, and Welfare may prescribe on the basis of a finding that such extension involves no undue risk to the public health and that conditions exist which necessitate the prescribing of such an additional period, or

"(2) the date on which an order with respect to such use under section 408 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 348) becomes effective, whichever date first occurs."

Mr. ALBERT. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. ALBERT to the committee amendment: Page 9, line 1, strike out "was" and insert in lieu thereof "use."

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING PUBLIC LAW 85-818

The Clerk called the bill (H.R. 6500) to amend Public Law 85-818.

Mr. PELLY. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

CARIBOU AND TARGHEE NATIONAL FORESTS

The Clerk called the bill (H.R. 3682) to permit the processing of certain applications under the Small Tracts Act for

lands included in the Caribou and Targhee National Forests.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4, subsection (a), of the Act of August 14, 1958 (72 Stat. 607, 608), is hereby amended by substituting a comma for the period at the end thereof and adding the following: "nor to prejudice the sale or lease by the Secretary of the Interior of lands for which application under the Act of June 1, 1938 (52 Stat. 609), as amended, was pending on March 28, 1957."

SEC. 2. Section 1 of this Act shall be effective as of the date of the Act which it amends.

SEC. 3. The intent of the Congress in enacting this Act is that the applications under the Act of June 1, 1938, which were pending in the Department of the Interior on March 28, 1957, shall be granted or rejected, in whole or in part, on the basis of the same standards which would have been applied in granting or rejecting them had the Act of August 14, 1958, not been enacted.

With the following committee amendments:

Page 1, lines 6 to 9, strike out the material in quotation marks and insert in lieu thereof the following: "nor to prejudice the sale or lease by the Secretary of the Interior under the Act of June 1, 1938 (52 Stat. 609), as amended, of lands for which applications under that Act were pending on March 28, 1957, and of one additional tract, not exceeding five acres, in either the south half of the northwest quarter of the northeast quarter of the northwest quarter, or the north half of the northeast quarter of the northwest quarter of the northwest quarter, both of section 17, township 2 south, range 46 east, Boise Meridian, if application for such additional tract be made not later than July 1, 1960, by an applicant whose application under R.S. 2455, as amended (43 U.S.C. 1171) for lands within the west half of the said section 17 was pending on March 28, 1957."

Page 2, lines 4 to 6, strike out the words: "under the Act of June 1, 1938, which were pending in the Department of the Interior on March 28, 1957," and insert in lieu thereof the words "identified in the amendment to section 4 of the Act of August 14, 1958, which is made by section 1 of this Act."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOUISIANA-VICKSBURG BRIDGE COMMISSION

The Clerk called the bill (H.R. 1074) to repeal the act of August 9, 1939, creating the Louisiana-Vicksburg Bridge Commission.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act creating the Louisiana-Vicksburg Bridge Commission; defining the authority, power, and duties of said commission; and authorizing said commission and its successors and assigns to purchase, maintain, and operate a bridge across the Mississippi River at or near Delta Point, Louis-

iana, and Vicksburg, Mississippi", approved August 9, 1939 (53 Stat. 1267), is hereby repealed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADMISSION OF VETERANS TO LOW RENT HOUSING

The Clerk called the bill (H.R. 4468) to amend the United States Housing Act of 1937 to extend the period during which families of veterans and servicemen may be admitted to public housing without regard to the general requirement that they be displacees or previous residents of substandard housing.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso in section 15(8)(b) of the United States Housing Act of 1937 is amended by striking out "March 1, 1959" and inserting in lieu thereof "March 1, 1964".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

USE OF SURPLUS GRAINS TO PREVENT WATERFOWL DEPREDATIONS

The Clerk called the bill (H.R. 7631) to amend the act of July 3, 1956 (70 Stat. 492), entitled "An act to authorize the Secretary of the Interior to cooperate with Federal and non-Federal agencies in the prevention of waterfowl depredations.

Mr. PELLY. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

INSURANCE COVERAGE UNDER TITLE IV OF THE NATIONAL HOUSING ACT

The Clerk called the bill (H.R. 7789) to amend paragraph (b) of section 401 of the National Housing Act, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (b) of section 401 of the National Housing Act, as amended (12 U.S.C. 1724(b)), is hereby amended by adding thereto at the end thereof the following new sentence: "Notwithstanding any other provision of law, two persons who are husband and wife shall have, with respect to accounts in an insured institution which are community property of such husband and wife and to the extent that such accounts are community property, not to exceed \$10,000 of insurance with respect to such an account or accounts in the sole name of the husband, not to exceed \$10,000 of insurance with respect to such an account or accounts in the sole name of the wife, and not to exceed \$10,000 of insurance with respect to such an account or accounts

in the sole name of both: *Provided*, That in no event shall this sentence increase to an amount which is greater than the total of the amounts hereinbefore set forth in this sentence the aggregate of the insurance which such husband and wife may have under this title with respect to (1) any account or accounts in such institution in the sole name of either of them or in the sole names of both, and (2) any other account or accounts in such institution to the extent that such other account or accounts would, in the absence of this sentence, be required to be included in determining the amount of the individual insurance of such husband or of such wife under subsection (a) of section 405."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

UNIFORM POSTAL REQUIREMENTS RELATING TO DISCLOSURE OF AVERAGE NUMBERS OF COPIES OF CERTAIN PUBLICATIONS

The Clerk called the bill (H.R. 6830) to provide for uniformity of application of certain postal requirements with respect to disclosure of the average numbers of copies of publications sold or distributed to paid subscribers.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second paragraph of section 2 of the Act of August 24, 1912 (37 Stat. 553), as amended (39 U.S.C. 233), is amended to read as follows:

"The editor, publisher, business manager, or owner of a publication entered as second-class mail shall file with the Postmaster General and publish in the second issue thereafter of the publication to which it relates a sworn statement on forms furnished by the Postmaster General on or before the first day of October of each year setting forth—

"(1) the names and post office addresses of the editor and managing editor, publisher, business managers, and owners;

"(2) the name of the corporation and the stockholders thereof if the publication is owned by a corporation;

"(3) the names of known bondholders, mortgagees, or other security holders; and

"(4) the average number of copies of each issue of the publication sold or distributed through the mails or otherwise distributed to paid subscribers during the preceding 12 months.

The sworn statement need not include the names of persons owning less than 1 per centum of the total amount of stock, bonds, mortgages, or other securities. The Postmaster General shall deny the privilege of second-class mail to a publication which fails to comply with the provisions of this paragraph within ten days after notice by registered mail of the failure. This paragraph is not applicable to religious, fraternal, temperance, scientific, or similar publications.

"Editorial or other reading matter contained in publications entered as second-class mail and for the publication of which a valuable consideration is paid, accepted, or promised shall be marked plainly 'advertisement' by the publisher. Whoever, being an editor or publisher, prints in a publication entered as second-class mail editorial or other reading matter for which he has been paid or promised a valuable con-

sideration, without plainly marking the same 'advertisement', shall be fined not more than \$500."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VALIDATING AND CONFIRMING A CONTRACT ENTERED INTO BETWEEN THE UNITED STATES AND THE TOWN OF BRIDGEPORT, WASH.

The Clerk called the bill (H.R. 802) to validate and confirm a contract entered into between the United States and the town of Bridgeport, Wash.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the contract numbered DA-45-108-ENG-565, entered into on June 15, 1950, between the town of Bridgeport, Washington, and the Corps of Engineers, Department of the Army, on behalf of the United States, in which the United States agreed to pay for certain municipal services furnished by the town of Bridgeport, Washington, is hereby validated and confirmed as of June 15, 1950.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING TITLE 28, "JUDICIARY AND JUDICIAL PROCEDURE"

The Clerk called the bill (H.R. 7577) to amend title 28, entitled "Judiciary and Judicial Procedure," of the United States Code to provide for the defense of suits against Federal Employees arising out of their operation of motor vehicles in the scope of their employment.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2679 of title 28, United States Code, is amended (1) by inserting the subsection symbol "(a)" at the beginning thereof and (2) by adding immediately following such subsection (a) as hereby so designated, four new subsections as follows:

"(b) The remedy by suit against the United States as provided by section 1346(b) of this title for damage to property or for personal injury, including death, resulting from the operation by any employee of the Government of any motor vehicle while acting within the scope of his office or employment, shall hereafter be exclusive of any other civil action or proceeding by reason of the same subject matter against the employee or his estate whose act or omission gave rise to the claim.

"(c) The Attorney General shall defend any civil action or proceeding brought in any court against any employee of the Government or his estate for any such damage or injury. The employee against whom such civil action or proceeding is brought shall deliver within such time after date of service or knowledge of service as determined by the Attorney General, all process served upon him or an attested true copy thereof to his immediate superior or to whomever was designated by the head of his department to

receive such papers and such person shall promptly furnish copies of the pleadings and process therein to the United States attorney for the district embracing the place wherein the proceeding is brought to the Attorney General, and to the head of his employing Federal agency.

"(d) Any such civil action or proceeding commenced in a State court shall be removed without bond at any time before trial by the Attorney General to the district court of the United States for the district and division embracing the place wherein it is pending and the proceedings deemed a tort action brought against the United States under the provisions of this title and all references thereto. Should a United States district court determine on a hearing on a motion to remand held before a trial on the merits that the case so removed is one in which a remedy by suit within the meaning of subsection (b) of this section is not available against the United States, the case shall be remanded to the State court.

"(e) The Attorney General may compromise or settle any claim asserted in such civil action or proceeding in the manner provided in section 2677, and with the same effect."

Sec. 2. The amendments made by this Act shall be deemed to be in effect six months after the enactment hereof but any rights or liabilities then existing shall not be affected.

With the following committee amendment:

Page 2, line 14, strike out "of knowledge or" and insert in lieu thereof "or knowledge of."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended to read as follows: "A bill to amend title 28, entitled 'Judiciary and Judicial Procedure', of the United States Code to provide for the defense of suits against Federal employees arising out of their operation of motor vehicles in the scope of their employment, and for other purposes."

A motion to reconsider was laid on the table.

PROVIDING FOR THE ENTRY OF CERTAIN RELATIVES OF U.S. CITIZENS AND LAWFULLY RESIDENT ALIENS

The Clerk called the bill (H.R. 5896) to provide for the entry of certain relatives of U.S. citizens and lawfully resident aliens.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 203(a)(2) of the Immigration and Nationality Act (66 Stat. 178) is hereby amended by striking out the period and adding the following: "or who are the unmarried sons or daughters of citizens of the United States".

Sec. 2. Section 203(a)(3) of the Immigration and Nationality Act (66 Stat. 178) is hereby amended by striking out the word "children" and substituting in lieu thereof "unmarried sons or daughters".

Sec. 3. The second sentence of paragraph 4 of section 203(a) of the Immigration and Nationality Act (66 Stat. 178-179) is hereby amended to read: "Qualified quota immigrants of each quota area who are the brothers or sisters, or the married sons or married

86TH CONGRESS
1ST SESSION

H. R. 3682

IN THE SENATE OF THE UNITED STATES

JULY 7, 1959

Read twice and referred to the Committee on Interior and Insular Affairs

AN ACT

To permit the processing of certain applications under the Small Tracts Act for lands included in the Caribou and Targhee National Forests by the Act of August 14, 1958.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 4, subsection (a), of the Act of August 14,
4 1958 (72 Stat. 607, 608), is hereby amended by substi-
5 tuting a comma for the period at the end thereof and adding
6 the following: "nor to prejudice the sale or lease by the Sec-
7 retary of the Interior under the Act of June 1, 1938 (52
8 Stat. 609), as amended, of lands for which applications
9 under that Act were pending on March 28, 1957, and of one
10 additional tract, not exceeding five acres, in either the south

1 half of the northwest quarter of the northeast quarter of the
2 northwest quarter, or the north half of the northeast quarter
3 of the northwest quarter of the northwest quarter, both of
4 section 17, township 2 south, range 46 east, Boise meridian,
5 if application for such additional tract be made not later than
6 July 1, 1960, by an applicant whose application under R.S.
7 2455, as amended (43 U.S.C. 1171) for lands within the
8 west half of the said section 17 was pending on March 28,
9 1957.”

10 SEC. 2. Section 1 of this Act shall be effective as of the
11 date of the Act which it amends.

12 SEC. 3. The intent of the Congress in enacting this Act
13 is that the applications identified in the amendment to section
14 4 of the Act of August 14, 1958, which is made by section
15 1 of this Act, shall be granted or rejected, in whole or in part,
16 on the basis of the same standards which would have been
17 applied in granting or rejecting them had the Act of August
18 14, 1958, not been enacted.

Passed the House of Representatives July 6, 1959.

Attest:

RALPH R. ROBERTS,

Clerk.

86TH CONGRESS
1ST SESSION

H. R. 3682

AN ACT

To permit the processing of certain applications under the Small Tracts Act for lands included in the Caribou and Targhee National Forests by the Act of August 14, 1958.

JULY 7, 1959

Read twice and referred to the Committee on Interior
and Insular Affairs

August 4, 1959

12. RECLAMATION. The Interior and Insular Affairs Committee reported the following bills: p. 13725
S. 1221, without amendment, to amend the act authorizing the Crooked River Federal reclamation project, Ore., in order to increase the capacity of certain project features for future irrigation of additional lands (S. Rept. 609);
H. R. 968, without amendment, to provide for the construction by Interior of the Bully Creek Dam and other facilities, Vale Federal reclamation project, Ore. (S. Rept. 603);
S. 1136, with amendment, to provide for transfer of title to irrigation distribution systems constructed under the Federal reclamation laws upon completion of repayment of the costs of the project (S. Rept. 613);
S. 258, with amendment, to provide for certain reductions in the reimbursable construction cost of the Kittitas division of the Yakima reclamation project, Wash. (S. Rept. 614).
13. FORESTRY. The Interior and Insular Affairs Committee reported without amendment H. R. 3682, to permit the processing of certain applications under the Small Tracts Act for lands included in the Caribous and Targhee National Forests by the act of August 14, 1958 (S. Rept. 619). p. 13725
14. WATER RESOURCES. The Interior and Insular Affairs Committee reported without amendment S. 1514, to amend the act of August 9, 1955, so as to eliminate restrictions on appropriations for investigations of water resources in Alaska (S. Rept. 612). p. 13725
15. MINERALS; PUBLIC LANDS. Passed without amendment H. R. 6940, to amend the Mineral Leasing Act of 1920 so as to increase the area of public lands in Alaska which may be held under coal lease by any one person or firm from 2,560 acres to 10,240 acres. This bill will now be sent to the President. (pp. 13744-54, 13771-2). Rejected, 32 to 55, a motion by Sen. Allott to recommit the bill to the Interior and Insular Affairs Committee (pp. 13771-2).
16. HOUSING. The "Daily Digest" states that the Subcommittee on Housing of the Banking and Currency Committee approved for full committee consideration a clean bill embodying a housing program for 1959. The full committee will meet for consideration of the bill on Tues., Aug. 11. p. D708
17. FOOD FOR PEACE. The "Daily Digest" states that the Foreign Relations Committee "continued executive consideration of S. 1711, International Food for Peace Act of 1959, but did not conclude action thereon, and will meet again later this week." p. D708
18. LANDS. Began debate on S. 747, to authorize GSA and the Department of the Army to convey certain lands known as the Des Plaines Public Hunting and Refuge Area to Illinois. pp. 13773-81
19. RECLAMATION. Sen. Allott inserted an editorial, "In Defense of Reclamation," defending the reclamation program against recent criticism. p. 13743
20. EDUCATION; PERSONNEL. Sen. Neuberger expressed opposition to, and inserted letters he had received opposing, "administration proposals to reduce Federal funds paid to local school districts which confront unusual demands upon their facilities due to the impact of Federal workers' families." pp. 13739-40
21. DEFENSE DEPARTMENT APPROPRIATIONS FOR 1960. Senate received and both Houses agreed to (by a vote of 85 to 13 in the Senate) the conference report on this bill, H. R. 7454. This bill will now be sent to the President. pp. 13788-98, 13760-71

ITEMS IN APPENDIX

22. DEPRESSED AREAS. Reps. Flood and Rhodes inserted an article urging legislation to provide Federal assistance to depressed areas. pp. A6706-7, A6731-2
23. ELECTRIFICATION. Extension of remarks of Sen. Neuberger discussing a proposed power program resulting from the construction of the John Day Dam and inserting an article on this subject. p. A6707
Rep. Westland inserted an editorial, "Trinity Power -- Again," p. A6728
24. FARM PROGRAM. Rep. Schwengel inserted this Department's reply to the letter of Howard Hill, Iowa Farm Bureau Federation, commenting on several suggestions made by Mr. Hill. pp. A6707-8
Rep. Corbett inserted the percentage results of an opinion poll, including the price support program. pp. A6717-8
Extension of remarks of Rep. Langen inserting a statement by Gordon Sprague economist for Land O'Lakes Creameries, Inc., "The Farm Program: A National Asset, Not A Liability." pp. A6725-6
25. POULTRY. Extension of remarks of Sen. Talmadge inserting a constituent's letter and stating that it is a "penetrating analysis of the grave problems confronting the poultry and egg industry." pp. A6712-3
26. WATER POLLUTION. Extension of remarks of Sen. Neuberger inserting an article by Howard Zahniser, exec. sec'y Wilderness Society, reviewing the need for congressional action on the proposed water pollution control bill and the wilderness area preservation bill. pp. A6718-9
27. CREDIT UNIONS. Extension of remarks of Rep. Barr giving a brief description of the credit union bill as passed by the House. pp. A6720-1
28. RESEARCH. Extension of remarks of Sen. Wiley inserting an article pointing out the various research projects now under way as a result of the completion of the St. Lawrence Seaway. p. A6721
29. FOREIGN AID. Speech in the House by Rep. Henderson during debate on the mutual security appropriation bill. pp. A6729-30
Extension of remarks of Rep. Edmondson stating that the proposed establishment of a Great White Fleet of mercy ships "has inspired a tremendous outpouring of commendation, good will, and support from the American people ..." pp. A6733-5

BILLS INTRODUCED

30. PURCHASING. S. 2487, by Sen. Smathers (for himself and Sen. Sparkman), to provide for greater competitive distribution throughout private industry of the economic benefits flowing from preparing the Nation's defense, to improve the opportunities for small business concerns to participate as subcontractors in Government procurement; to Armed Services Committee.
31. SOIL BANK. H. R. 8511, by Rep. Burdick, to amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions; to Agriculture Committee.
32. RECREATION. H. R. 8519, by Rep. Saylor, to save and preserve for the public use and benefit, certain portions of shoreline areas of the United States; to Interior and Insular Affairs Committee.

PERMITTING THE PROCESSING OF CERTAIN APPLICATIONS
UNDER THE SMALL TRACTS ACT FOR LANDS INCLUDED IN THE
CARIBOU AND TARGHEE NATIONAL FORESTS BY THE ACT OF
AUGUST 14, 1958

August 4, 1959.—Ordered to be printed

Mr. CHURCH, from the Committee on Interior and Insular Affairs,
submitted the following

R E P O R T

[To accompany H.R. 3682]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 3682) to permit the processing of certain applications under the Small Tracts Act for lands included in the Caribou and Targhee National Forests by the act of August 14, 1958, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE

The purpose of H.R. 3682 is to authorize the Secretary of the Interior to sell or lease, under the Small Tracts Act (52 Stat. 609, 43 U.S.C. 682-682e), as amended, certain lands which were added to the Caribou and Targhee National Forests in the State of Idaho by the act of August 14, 1958 (72 Stat. 607). The lands in question are those for which applications were pending in the Department of the Interior on March 28, 1957, the date on which S. 1748, 85th Congress, which became the act of August 14, 1958, was introduced in the Senate. If H.R. 3682 is enacted, the Secretary will be authorized to grant or reject these applications on the basis of the same standards which he would have applied had the 1958 act not become law.

Enactment of H.R. 3682 will also authorize the Secretary to grant or reject, as under the Small Tracts Act and in accordance with the same standards, an application for one additional small tract if such application is filed not later than July 1, 1960, by the person who had an application pending on March 28, 1957, under the Isolated Tracts Act, as amended (R.S. 2455, 43 U.S.C. 1171), for a larger area identified in the bill.

NEED

At the time the bill which became the 1958 act was introduced in the 85th Congress, there were pending before the Department of the Interior 22 applications for the lease or sale of land under the Small Tracts Act and one application under the Isolated Tracts Act. Although section 4(a) of the 1958 act expressly provided that nothing contained in it should be construed "to diminish or in anywise affect any valid rights in or to, or in connection with," the lands which were being covered into the Caribou and Targhee National Forests, no provision was made for preserving the status of the pending applications or for permitting the Secretary of the Interior to decide to accept or reject them on their own merits.

The committee agrees that, even though the small tract applicants had and have no legally protected interest in the lands, they were entitled to more consideration than they were accorded. This can now be given them only by the enactment of legislation which will restore the status quo ante and open the way for the Secretary to determine, without reference to the enactment of the 1958 law, whether the applications should be rejected or whether they should be wholly or partially granted. Enactment of H.R. 3682 is needed to accomplish this object.

The application under the Isolated Tracts Act is somewhat different since it was for 320 acres which, because of the construction by the United States of the Palisades Reservoir in the vicinity, have probably become far more valuable than they were before and might, if allowed to go to one person, result in an unjustifiable windfall. In view of this, the committee's amendment to the bill allows this applicant to reapply under the Small Tracts Act and permits the Secretary to process the application in the same way as the others.

The committee points out that under H.R. 3682 the Secretary of the Interior is not required to sell or lease the lands in question. He is merely authorized to grant or reject in whole or in part the various applications on the basis of the same standards which would have applied on applications in granting or rejecting them had the act of August 14, 1958, not been enacted. The Department of the Interior, in other words, may use its usual discretion in determining whether and to what extent and under what terms any of these tracts should be sold or leased.

COST

Enactment of H.R. 3682 will result in only minor administrative expenses to the Department of the Interior. If the applications are allowed, it will increase the Government's revenues to a small extent.

DEPARTMENTAL RECOMMENDATIONS

The no-objection reports of the Department of the Interior and the Department of Agriculture are set forth below:

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., May 14, 1959.

HON. WAYNE N. ASPINALL,
*Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D.C.*

DEAR MR. ASPINALL: This is in reply to your request for the views of this Department on H.R. 3682, a bill to permit the processing of certain applications under the Small Tracts Act for lands included in the Caribou and Targhee National Forests by the act of August 14, 1958.

We would not object to the enactment of this bill, if the Department of Agriculture has no objection to its enactment.

The act of August 14, 1958 (72 Stat. 607), added certain lands in Idaho to the Targhee and Caribou National Forests. Section 4(a) of that act (72 Stat. 607, 608) stated that the sole purpose of the act was to subject lands within the extended boundaries of the forests to the laws and regulations governing the national forests and not to authorize the acquisition of any additional lands by the United States or to diminish or affect in any way valid rights applicable to those lands existing on the date of the statute's approval. H.R. 3682 would add to this subsection an additional provision to the effect that nothing in the act would "prejudice the sale or lease by the Secretary of the Interior of lands for which application under the act of June 1, 1938 (52 Stat. 609), as amended, was pending on March 28, 1957." March 28, 1957, it should be noted, was the date on which the act of August 14, 1958, was introduced in the Congress as S. 1748.

A portion of the land subject to the act of August 14, 1958, was public land administered by the Bureau of Land Management of this Department on which 22 applications under the Small Tract Act of June 1, 1938, as amended (43 U.S.C., secs. 682-682e), were pending at the time of the introduction of S. 1748 which became the 1958 act. There was one other application pending under another statute at that time. Accordingly, in our report of February 21, 1958, to the chairman of the Interior and Insular Affairs Committee of the Senate on S. 1748 we recommended that the bill be amended so as to protect these applications. We had been informed that the inclusion of these lands was inadvertent. The Senate committee recommended that our proposed amendment be adopted, and S. 1748, as it was passed by the Senate, did include the amendment. How-

ever, the House Committee on Interior and Insular Affairs rejected the amendment, and, as the bill became law, it did not include the amendment which we had proposed. Consequently, we rejected the applications. H.R. 3682 would amend the act of August 14, 1958, to protect the small-tract applications, but not to protect any other applications. Because of the primary responsibility of the Department of Agriculture for the administration of the Caribou and Targhee National Forests, we would not approve of the enactment of this bill if that Department should object. However, in the absence of objection by the Department of Agriculture, we would not oppose the enactment of H.R. 3682, since its provisions are generally consistent with our original report on S. 1748.

The Bureau of the Budget has advised that there is no objection to the submission of this report to your committee.

Sincerely yours,

ROGER ERNST,
Assistant Secretary of the Interior.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., May 13, 1959.

HON. WAYNE N. ASPINALL,
*Chairman, Committee on Interior and Insular Affairs,
House of Representatives.*

DEAR CONGRESSMAN ASPINALL: Reference is made to your request of February 2, 1959, for the views of this Department on H.R. 3682, a bill to permit the processing of certain applications under the Small Tracts Act for lands included in the Caribou and Targhee National Forests by the act of August 14, 1958.

This Department would have no objection to the enactment of H.R. 3682.

This bill would amend the act of August 14, 1958 (72 Stat. 607, 608), which added certain lands to the Caribou and Targhee National Forests in Idaho. The amendatory bill would enable the Secretary of the Interior to sell or lease the part of such lands for which applications under the act of June 1, 1938 (52 Stat. 609), as amended, were pending in the Department of the Interior on March 28, 1957. By passage of the bill such applications may be granted or rejected in whole or in part in the same way that they could have been handled had the act of August 14, 1958, not been enacted.

The lands which were added to the Caribou and Targhee National Forests consist of about 15,700 acres of Federal lands withdrawn or acquired in connection with the Palisades Reservoir reclamation project. Included among the lands added to the national forests were about 110 acres covered by 22 applications under the Small Tracts Act of June 1, 1938 (52 Stat. 609), as amended. Addition of the lands to the national forests removed them from operation of the Small Tracts Act despite the fact that the applications were pending at the time. As stated in our report on S. 1748 which became the 1958 act, the character of the lands is such that they are suitable for national forest purposes, particularly in connection with the public recreation generated by the Palisades Reservoir. However, as also stated in that report, we would have no objection to the enactment of provisions which would recognize the prior filing of the applications

in the Department of the Interior, if the Congress concludes that it would be equitable to consider the applications.

We wish to point out that in addition to the several applications pending under the Small Tracts Act, there was also one application for public sale of a tract of about 320 acres under Revised Statutes 2455 (43 U.S.C. 1171) which authorizes public sales of isolated parcels of public domain. The bill would not permit processing of this additional application by the Secretary of the Interior. This Department does not know if the tract covered by the additional application is suitable for or would be classified for public sale if it were to be processed in accordance with the intent expressed in section 3 of the bill—that is, that the applications be granted or rejected, in whole or in part, on the basis of the same standards which would have been applied in granting or rejecting the applications had the act of August 14, 1958, not been enacted. However, if any prior applications are to be considered, it would appear equitable to consider them all.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

(Signed) E. T. BENSON, *Secretary*.

COMMITTEE RECOMMENDATION

The Committee on Interior and Insular Affairs recommends the enactment of H.R. 3682 as amended.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italic*, existing law in which no change is proposed is shown in roman):

ACT OF AUGUST 14, 1958 (72 STAT. 607,608)

* * * * *

SEC. 4. (a) It is hereby declared that the sole purpose of this Act is to subject the lands referred to in the foregoing sections of this Act to all laws and regulations applicable to national forests, and nothing in this Act shall be construed to authorize the United States to acquire any additional lands or any interest therein, nor to diminish or in anywise affect any valid rights in or to, or in connection with, any such lands which may be in existence on the date of enactment of this Act[.] *nor to prejudice the sale or lease by the Secretary of the Interior under the Act of June 1, 1938 (52 Stat. 609), as amended, of lands for which applications under that Act were pending on March 28, 1957, and of one additional tract, not exceeding five acres, in either the south half of the northwest quarter of the northeast quarter of the northwest quarter, or the north half of the northeast quarter of the northwest quarter of the northwest quarter, both of section 17, township 2 south, range 46 east, Boise Meridian, if application for such additional tract be made not later than July 1, 1960, by an applicant whose application under R.S. 2455, as amended (43 U.S.C. 1171) for lands within the west half of the said section 17 was pending on March 28, 1957.*

Calendar No. 619

86TH CONGRESS
1ST SESSION

H. R. 3682

[Report No. 619]

IN THE SENATE OF THE UNITED STATES

JULY 7, 1959

Read twice and referred to the Committee on Interior and Insular Affairs

AUGUST 4, 1959

Reported by Mr. CHURCH, without amendment

AN ACT

To permit the processing of certain applications under the Small Tracts Act for lands included in the Caribou and Targhee National Forests by the Act of August 14, 1958.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 4, subsection (a), of the Act of August 14,
4 1958 (72 Stat. 607, 608), is hereby amended by substi-
5 tuting a comma for the period at the end thereof and adding
6 the following: "nor to prejudice the sale or lease by the Sec-
7 retary of the Interior under the Act of June 1, 1938 (52
8 Stat. 609), as amended, of lands for which applications
9 under that Act were pending on March 28, 1957, and of one
10 additional tract, not exceeding five acres, in either the south

1 half of the northwest quarter of the northeast quarter of the
2 northwest quarter, or the north half of the northeast quarter
3 of the northwest quarter of the northwest quarter, both of
4 section 17, township 2 south, range 46 east, Boise meridian,
5 if application for such additional tract be made not later than
6 July 1, 1960, by an applicant whose application under R.S.
7 2455, as amended (43 U.S.C. 1171) for lands within the
8 west half of the said section 17 was pending on March 28,
9 1957.”

10 SEC. 2. Section 1 of this Act shall be effective as of the
11 date of the Act which it amends.

12 SEC. 3. The intent of the Congress in enacting this Act
13 is that the applications identified in the amendment to section
14 4 of the Act of August 14, 1958, which is made by section
15 1 of this Act, shall be granted or rejected, in whole or in part,
16 on the basis of the same standards which would have been
17 applied in granting or rejecting them had the Act of August
18 14, 1958, not been enacted.

Passed the House of Representatives July 6, 1959.

Attest:

RALPH R. ROBERTS,

Clerk.

Calendar No. 619

86TH CONGRESS
1ST SESSION

H. R. 3682

[Report No. 619]

AN ACT

To permit the processing of certain applications under the Small Tracts Act for lands included in the Caribou and Targhee National Forests by the Act of August 14, 1958.

JULY 7, 1959

Read twice and referred to the Committee on Interior
and Insular Affairs

AUGUST 4, 1959

Reported without amendment

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

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For actions of August 7, 1959
86th-1st, No. 134

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HIGHLIGHTS: Senate committee voted to report food-for-peace bill; committee authorized to report bill by Mon., Aug. 10. Sen. Mundt introduced and discussed bill to authorize sale at market price of CCC feed for livestock in emergency areas.

SENATE

- 1. FOOD-FOR-PEACE.** The Foreign Relations Committee voted to report (but did not actually report), on Aug. 6, S. 1711, a food-for-peace bill (p. D730). At the request of Sen. Humphrey the committee was granted until Mon., Aug. 10, to file a report on the bill, and he stated that the bill was "reported favorably" on Fri., Aug. 7. The name of Sen. Carlson was added as a sponsor of the bill. (p. 14011)
- 2. FORESTRY.** Passed without amendment H. R. 3682, to authorize the Interior Department to sell or lease, under the Small Tracts Act, certain lands which were added to the Caribou and Targhee National Forests in Idaho by the act of Aug. 14, 1958. This bill will now be sent to the President. p. 14009
- 3. TRANSPORTATION.** Agreed to without amendment S. Res. 151, to authorize the Interstate and Foreign Commerce Committee to study transportation problems in rural areas. p. 14011
- 4. RECLAMATION.** Passed over, at the request of Sen. Keating, the following bills: H. R. 968, to provide for the construction by Interior of the Bully Creek Dam and other facilities, Vale Federal reclamation project, Ore.; S. 1221, to amend the act authorizing the Crooked River Federal reclamation project, Ore., in

order to increase the capacity of certain project features for future irrigation of additional lands; and S. 1136, to provide for the transfer of title to irrigation distribution systems constructed under the Federal reclamation laws upon completion of repayment of the costs of the system. p. 14008

5. WATER RESOURCES. Passed over (since it is the unfinished business) S. 1514, to amend the act of August 9, 1955, so as to eliminate restrictions on appropriations for investigations of water resources in Alaska. p. 14008
6. FISHERIES. Passed over, at the request of Sen. Keating, H. R. 2398, to authorize the Interior Department to construct a fish hatchery in northwestern Pa. for stocking streams in that area (including Forest Service streams). p. 14009
7. PRICES. Agreed to as reported S. Con. Res. 38, authorizing the printing of 2,500 additional copies of hearings conducted by the Judiciary Committee during the 85th Congress, first session, on administered prices. p. 14010
8. MONOPOLIES; MILK. Agreed to as reported S. Con. Res. 39, authorizing the printing of 2,500 additional copies of a report of the Judiciary Committee, 85th Congress, second session, "Case Study of Incipient Monopoly in Milk Distribution." pp. 14010-11
9. ADJOURNED until Tues., Aug. 11. p. 14011

HOUSE

10. FORESTRY; INDIANS. A subcommittee of the Interior and Insular Affairs Committee voted to report without amendment H. R. 8501, to amend the Klamath Indian Termination Act so as to change from April 1, 1961 to September 30, 1959 the date after which the U. S. may take title to the Klamath March and make payments to the Klamath Indians for the land. p. D731
11. FOREIGN TRADE. H. R. 5067, as reported Aug. 5, would repeal Sec. 217 of the Merchant Marine Act of 1936. That section directed the Maritime Commission to coordinate the functions and facilities of public and private agencies engaged in freight forwarding abroad to aid in the war effort (World War II) and to preserve our post-war foreign trade and commerce. The report states:

***"It is the intent of the bill to clarify the practices of various governmental agencies in connection with oversea shipments. As of the present time, various agencies have interpreted the act in different ways with respect to their obligation to utilize the services of freight forwarders in connection with such shipments.

"The act was passed March 14, 1942, early in World War II, and was for the immediate purpose of assuring the survival of an important segment of the shipping industry during a period when the usual commercial shipments had virtually disappeared. Since the end of the war forwarders have taken the position that Government agencies are required to use their services even though unneeded, either by reason of the nature of the shipment or the method of handling by the agency."

ITEMS IN APPENDIX

12. SOIL CONSERVATION. Extension of remarks of Sen. Johnson stressing the need for soil conservation programs and inserting an article, "Navarro County (Tex. Will Get 100 Flood Dams." p. A6820

Washington County, Utah, said line being 150 feet from and parallel the centerline of such highway, as constructed.

Sec. 2. Privately owned land, or interests therein, within the aforesaid revised boundary may be acquired by the Secretary of the Interior by purchase, donation, with donated funds, or by such other means as the Secretary may consider to be in the public interest. When acquired, such land and interests in land shall be administered as part of the Zion National Park, in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended.

Sec. 3. The Secretary of the Interior is authorized to convey to the Utah State Road Commission under such terms and conditions as he may deem necessary such lands or interests in land in lot 3, section 29, township 38 south, range 12 west, Salt Lake meridian, containing approximately four and one-half acres, as are required by the Commission for the realignment and construction of United States Highway 91: *Provided*, That, in exchange, the State of Utah constructs an interchange of design, type, and location acceptable to the Secretary which will provide vehicular access between the said highway and Zion National Park. Such conveyed lands shall thereafter be considered as excluded from the Zion National Park and the easterly right-of-way line of United States Highway 91, identified as project numbered I-01-1 (1), Washington County, Utah, shall become the westerly boundary of the Zion National Park in lot 3, section 29, township 38 south, range 12 west, Salt Lake meridian.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ABRAHAM LINCOLN'S BIRTHPLACE

The Senate proceeded to consider the bill (S. 1448) to change the name of the Abraham Lincoln National Historical Park at Hodgenville, Ky., to Abraham Lincoln's Birthplace, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 1, line 4, after the word "as", to strike out "Abraham Lincoln's Birthplace" and insert "Abraham Lincoln Birthplace National Historic Site," and in line 10, after the word "of", to strike out "Abraham Lincoln's Birthplace" and insert "Abraham Lincoln Birthplace National Historic Site", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Abraham Lincoln National Historical Park at Hodgenville, Kentucky, shall hereafter be known as Abraham Lincoln Birthplace National Historic Site, and any law, regulation, document, or record of the United States in which such historical park is designated or referred to under the name of Abraham Lincoln National Historical Park shall be held to refer to such historical park under and by the name of Abraham Lincoln Birthplace National Historic Site.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to change the name of the Abraham Lincoln National Historical Park at Hodgenville, Kentucky, to Abraham Lincoln Birthplace National Historic Site."

EXTENSION OF GROUNDS OF CUSTIS-LEE MANSION, ARLINGTON NATIONAL CEMETERY

The bill (H.R. 5138) to extend the grounds of the Custis-Lee Mansion in Arlington National Cemetery was considered, ordered to a third reading, read the third time, and passed.

PROCESSING OF CERTAIN APPLICATIONS UNDER THE SMALL TRACTS ACT

The bill (H.R. 3682) to permit the processing of certain applications under the Small Tracts Act for lands included in the Caribou and Targhee National Forests by the act of August 14, 1958, was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H.R. 2398) to provide for the establishment of a fish hatchery in the northwestern part of the State of Pennsylvania, was announced as next in order.

Mr. KEATING. Over, Mr. President. The PRESIDING OFFICER. The bill will be passed over.

ACCEPTANCE OF STATUE OF THE LATE SENATOR PATRICK A. MCCARRAN

The concurrent resolution (S. Con. Res. 41) to accept the statue of the late Senator Patrick A. McCarran for placement in Statuary Hall was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the statue of Senator Patrick A. McCarran, presented by the State of Nevada, to be placed in the Statuary Hall collection, is accepted in the name of the United States, and that the thanks of the Congress be tendered such State for the contribution of the statue of one of its most eminent citizens, illustrious in the field of law and government; and be it further

Resolved, That a copy of these resolutions, suitably engrossed and duly authenticated, be transmitted to the Governor of Nevada.

PLACING OF STATUE OF THE LATE SENATOR PATRICK A. MCCARRAN IN ROTUNDA OF CAPITOL

The concurrent resolution (S. Con. Res. 42) to place temporarily in the rotunda of the Capitol a statue of the late Senator Patrick A. McCarran was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the State of Nevada is hereby authorized to place temporarily in the rotunda of the Capitol a statue of the late Senator Patrick A. McCarran, of Nevada, and to hold ceremonies in the rotunda on such occasion; and the Architect of the Capitol is hereby authorized to make the necessary arrangements therefor.

PRINTING OF PROCEEDINGS AND ACCEPTANCE OF STATUE OF THE LATE SENATOR PATRICK A. MCCARRAN

The concurrent resolution (S. Con. Res. 43) to print proceedings of the

presentation and acceptance of the statue of the late Senator Patrick A. McCarran for placement in Statuary Hall was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the proceedings at the presentation, dedication, and acceptance of the statue of Senator Patrick A. McCarran, to be presented by the State of Nevada in the rotunda of the Capitol, together with appropriate illustrations and other pertinent matter, shall be printed as a Senate document. The copy for such Senate document shall be prepared under the supervision of the Joint Committee on Printing.

Sec. 2. There shall be printed three thousand additional copies of such Senate document, which shall be bound in such style as the Joint Committee on Printing shall direct, and of which one hundred copies shall be for the use of the Senate and one thousand six hundred copies shall be for the use of the Members of the Senate from the State of Nevada, and five hundred copies shall be for the use of the House of Representatives and eight hundred copies shall be for the use of the Member of the House of Representatives from the State of Nevada.

PLACING OF STATUE OF ESTHER MORRIS, OF WYOMING, IN ROTUNDA OF THE CAPITOL

The concurrent resolution (S. Con. Res. 55) to place temporarily in the rotunda of the Capitol a statue of Esther Morris, of Wyoming, and authorizing ceremonies on such occasion was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the statue of Esther Morris, presented by the State of Wyoming, to be placed in the Statuary Hall collection, is accepted in the name of the United States, and that the thanks of the Congress be tendered such State for the contribution of the statue of one of its most eminent citizens; and be it further

Resolved, That a copy of these resolutions, suitably engrossed and duly authenticated, be transmitted to the Governor of Wyoming.

ACCEPTANCE OF STATUE OF ESTHER MORRIS, OF WYOMING

The concurrent resolution (S. Con. Res. 56) accepting the statue of Esther Morris, of Wyoming, for placement in the Statuary Hall collection was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the State of Wyoming is hereby authorized to place temporarily in the rotunda of the Capitol a statue of Esther Morris, of Wyoming, and to hold ceremonies in the rotunda on such occasion; and the Architect of the Capitol is hereby authorized to make the necessary arrangements therefor.

PRINTING AS HOUSE DOCUMENT PROCEEDINGS OF ACCEPTANCE OF STATUE OF ESTHER MORRIS, OF WYOMING

The Senate proceeded to consider the concurrent resolution (S. Con. Res. 57) to print as a House document the proceedings incident to the acceptance of the statue of Esther Morris, presented by the State of Wyoming, which had been reported from the Committee on Rules

and Administration, with amendments, on page 1, line 6, after the word "a", to strike out "House" and insert "Senate"; in line 7, after the word "such", to strike out "House" and insert "Senate", and in line 11, after the word "such", to strike out "House" and insert "Senate"; so as to make the concurrent resolution read:

Resolved by the Senate (the House of Representatives concurring), That the proceedings at the presentation, dedication, and acceptance of the statue of Esther Morris, to be presented by the State of Wyoming in the rotunda of the Capitol, together with appropriate illustrations and other pertinent matter, shall be printed as a Senate document. The copy for such Senate document shall be prepared under the supervision of the Joint Committee on Printing.

SEC. 2. There shall be printed three thousand additional copies of such Senate document, which shall be bound in such style as the Joint Committee on Printing shall direct, and of which one hundred copies shall be for the use of the Senate and one thousand six hundred copies shall be for the use of the Members of the Senate from the State of Wyoming, and five hundred copies shall be for the use of the House of Representatives and eight hundred copies shall be for the use of the Member of the House of Representatives from the State of Wyoming.

The amendments were agreed to.

The concurrent resolution, as amended, was agreed to.

ADDITIONAL EXPENDITURES BY COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

The resolution (S. Res. 147) authorizing additional expenditures by the Committee on Interior and Insular Affairs was considered and agreed to, as follows:

Resolved, That the Committee on Interior and Insular Affairs is hereby authorized to expend from the contingent fund of the Senate, during the Eighty-sixth Congress, \$10,000, in addition to the amount, and for the same purposes specified in section 134(a) of the Legislative Reorganization Act, approved August 2, 1946.

ADDITIONAL EXPENDITURES BY COMMITTEE ON FOREIGN RELATIONS

The resolution (S. Res. 149) authorizing additional expenditures by the Committee on Foreign Relations was considered and agreed to, as follows:

Resolved, That the Committee on Foreign Relations is hereby authorized to expend from the contingent fund of the Senate, during the Eighty-sixth Congress, \$10,000, in addition to the amount, and for the same purposes specified in section 134(a) of the Legislative Reorganization Act, approved August 2, 1946.

PAYMENT OF GRATUITY TO MARY VERNON BEALE, JOSEPHINE F. MILLER, AND ADRIAN C. MILLER

The resolution (S. Res. 157) to pay a gratuity to Mary Vernon Beale, Josephine F. Miller, and Adrian C. Miller was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to

Mary Vernon Beale and Josephine F. Miller, sisters of Theodora Miller, and Adrian C. Miller, niece of Theodora Miller, an employee of the Senate at the time of her death, a sum to each equal to two and one-sixth months' compensation at the rate she was receiving by law at the time of her death, said sum to be considered inclusive of funeral expenses and all other allowances.

PAYMENT OF GRATUITY TO ELLA M. SHEFFEY

The resolution (S. Res. 158) to pay a gratuity to Ella M. Sheffey was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Ella M. Sheffey, widow of Matthew Sheffey, an employee of the Architect of the Capitol assigned to duty in the Senate Office Building at the time of his death, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

PRINTING OF ADDITIONAL COPIES OF SECOND INTERIM REPORT OF SELECT COMMITTEE ON IMPROPER ACTIVITIES IN THE LABOR OR MANAGEMENT FIELD

The Senate proceeded to consider the resolution (S. Res. 154) authorizing the printing of additional copies of part 1 of the second interim report of the Select Committee on Improper Activities in the Labor or Management Field, which had been reported from the Committee on Rules and Administration, with an amendment, in line 3, after the word "Field", to strike out "four thousand" and insert "three thousand three hundred", so as to make the resolution read:

Resolved, That there be printed for the use of the Select Committee on Improper Activities in the Labor or Management Field three thousand three hundred additional copies of part 1 of the second interim report of that committee, made pursuant to S. Res. 42.

The amendment was agreed to.

The resolution, as amended, was agreed to.

CONTINUING EXISTENCE OF JOINT COMMITTEE ON WASHINGTON METROPOLITAN PROBLEMS

The concurrent resolution (S. Con. Res. 59) amending Senate Concurrent Resolution 2 continuing the existence of the Joint Committee on Washington Metropolitan problems was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That S. Con. Res. 2, Eighty-sixth Congress, agreed to February 5, 1959 (continuing the existence of the Joint Committee on Washington Metropolitan Problems), is amended as follows:

(a) The first section is amended by striking out "September 30, 1959" and inserting in lieu thereof "January 31, 1960"; and

(b) Section 2 is amended by striking out "September 30, 1959, which shall not exceed \$30,000" and inserting in lieu thereof "January 31, 1960, which shall not exceed \$55,000".

INCREASE OF FUNDS FOR INVESTIGATION OF IMMIGRATION AND NATURALIZATION

The resolution (S. Res. 143) to increase the amounts of funds for the investigation of matters pertaining to immigration and naturalization was considered and agreed to, as follows:

Resolved, That S. Res. 55, Eighty-sixth Congress, agreed to February 2, 1959 (to investigate matters pertaining to immigration and naturalization), is hereby amended by striking out "\$96,000" and inserting in lieu thereof "\$116,000".

INCREASE OF FUNDS FOR INVESTIGATION OF ANTITRUST AND ANTIMONOPOLY LAWS

The resolution (S. Res. 144) to increase the amount of funds for the investigation of antitrust and antimonopoly laws and their administration was considered and agreed to, as follows:

Resolved, That S. Res. 57, Eighty-sixth Congress, agreed to February 2, 1959 (authorizing an investigation of antitrust and antimonopoly laws and their administration), is hereby amended by striking out "\$395,000" and inserting in lieu thereof "\$425,000".

PRINTING OF ADDITIONAL PARTS OF HEARINGS FOR COMMITTEE ON THE JUDICIARY

The Senate proceeded to consider the concurrent resolution (S. Con. Res. 38) to print for the use of the Committee on the Judiciary additional parts of certain hearings on administered prices, which had been reported from the Committee on Rules and Administration, with an amendment, in line 3, after the word "Senate", to strike out "five thousand" and insert "two thousand five hundred", so as to make the concurrent resolution read:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Committee on the Judiciary, United States Senate, two thousand five hundred additional copies each of parts 1, 2, 3, and 4 of the hearings conducted by the committee during the Eighty-fifth Congress, first session, on administered prices.

The amendment was agreed to.

The concurrent resolution, as amended, was agreed to.

PRINTING OF ADDITIONAL COPIES OF CERTAIN REPORTS FOR THE COMMITTEE ON THE JUDICIARY

The Senate proceeded to consider the concurrent resolution (S. Con. Res. 39) to print for the use of the Committee on the Judiciary additional copies of certain reports submitted by it and the Subcommittee on Antitrust and Monopoly, which had been reported from the Committee on Rules and Administration, with an amendment: In line 3, after the word "Senate", to strike out "five thousand" and insert "two thousand five hundred", so as to make the concurrent resolution read:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Committee on the

Public Law 86-165
86th Congress, H. R. 3682
August 18, 1959

AN ACT

73 STAT. 365.

To permit the processing of certain applications under the Small Tracts Act for lands included in the Caribou and Targhee National Forests by the Act of August 14, 1958.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4, subsection (a), of the Act of August 14, 1958 (72 Stat. 607, 608), is hereby amended by substituting a comma for the period at the end thereof and adding the following: "nor to prejudice the sale or lease by the Secretary of the Interior under the Act of June 1, 1938 (52 Stat. 609), as amended, of lands for which applications under that Act were pending on March 28, 1957, and of one additional tract, not exceeding five acres, in either the south half of the northwest quarter of the northeast quarter of the northwest quarter, or the north half of the northeast quarter of the northwest quarter of the northwest quarter, both of section 17, township 2 south, range 46 east, Boise meridian, if application for such additional tract be made not later than July 1, 1960, by an applicant whose application under R.S. 2455, as amended (43 U.S.C. 1171) for lands within the west half of the said section 17 was pending on March 28, 1957."

Caribou and
Targhee Na-
tional For-
ests, appli-
cations.

43 USC 682a.

SEC. 2. Section 1 of this Act shall be effective as of the date of the Act which it amends.

Effective
date.

SEC. 3. The intent of the Congress in enacting this Act is that the applications identified in the amendment to section 4 of the Act of August 14, 1958, which is made by section 1 of this Act, shall be granted or rejected, in whole or in part, on the basis of the same standards which would have been applied in granting or rejecting them had the Act of August 14, 1958, not been enacted.

72 Stat. 608.

Approved August 18, 1959.

